

PLANNING BOARD MINUTES

December 14, 2011

Town Council Chambers

Board members present:

Jan Eckhart, Chairman Ron Wolanski, Town Planner

Richard Adams, Vice Chairman Frank Holbrook, Assistant Town Solicitor

Audrey Rearick, Secretary

Gladys Lavine

Charlene Rose-Cirillo

Pete Marnane

Member absent:

Betty Jane Owen

The meeting was called to order at 6:30 pm.

- **Approval of the minutes of the November 9, 2011 regular meeting.**

Motion by Ms. Rearick, seconded by Ms. Cirillo, to approve the minutes of the November 9, 2011 regular meeting. Vote: 6-0-0.

1. Correspondence –

Memo from the Town Planner dated November 17, 2011 regarding TRC decision on the following matter: Newport Rifle Club, Development plan review for proposed parking and site alterations. Property located at 360 Wyatt Rd., Plat 119, Lot 9.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to receive the

correspondence. Vote: 6-0-0.

2. Public Hearing – Peter Gallipeau, Proposed 14 lot Major Subdivision, Bailey Ave. & Sachuest Drive, Plat 126, Lot 4. Request for Preliminary Plan Approval.

Mr. Eckhart stated that the applicant has requested a continuance, and has submitted a letter agreeing to extension of the timeframe required to make a decision to the January Planning Board meeting.

Motion by Ms. Rearick, seconded by Ms. Cirillo, to continue the matter to the January 11, 2012 Planning Board meeting, at 6:30pm.

Vote: 6-0-0.

3. Consideration of potential Zoning Ordinance amendments for recommendation to the Town Council, including amendments to sections 1202, 1208, 1209, 1210, 1211, 1212, 1213.

Mr. Wolanski stated that the draft amendments had been revised with the assistance of the Town Solicitor to address the concern related to use of product logos on temporary signs. The revision would prohibit the use of product logos on temporary signs unless the sign also identifies and advertises a particular business at the subject location. Other proposed amendments remain unchanged from the prior draft.

Mr. Marnane asked if the Building/Zoning official had reviewed the proposed amendments. Mr. Wolanski stated that he had.

Motion by Ms. Rearick, seconded by Ms. Cirillo to forward the proposed amendments to the Town Council with a positive recommendation. Vote: 6-0-0.

4. Consideration of potential amendments to Zoning Ordinance, Article 11 – Watershed Protection District.

Mr. Wolanski stated that he had reviewed several watershed protection ordinances from other Rhode Island towns. The current Middletown ordinance is generally consistent with how other towns regulated development in watershed protection districts. However, of the ordinances reviewed, Middletown's is the only ordinance which requires a special use permit for all single-family residential development. To relieve what has been discussed as an unnecessary burden, the Board may wish to revise the ordinance to except single-family development from the requirements to secure a special use permit in Zone 1. Mr. Wolanski provided a draft document containing proposed amendments.

There was discussion about the possibility of continuing to require a special use permit for single-family dwellings served by septic system.

Ms. Rearick expressed a desire to maintain the special use permit requirement for development tied to septic systems.

Other Board members stated that the town typically defers to RIDEM for septic system design concerns. Requiring a special use permit would result in no benefit.

Following additional discussion the majority of the board indicated a desire to exempt from the special use permit requirement single-family dwellings when tied to public sewer or a RIDEM approved septic system.

Ms. Lavine questioned the exemption in current ordinance which allows development of roads in Zone 1 without the need to secure a special use permit.

The consensus of the Board was to propose a revision that would require a special use permit for construction of new roads in Zone 1. Mr. Wolanski stated that another proposed amendment for consideration, related to the prior discussion, would require a special use permit for the installation of septic systems within 200' feet of a watercourse or surface water body. The effect of this proposal, coupled with the proposed requirements for single-family dwelling development, would exempt single-family development on septic from the special use permit requirement only areas of Zone 1 defined by soil type.

Board members indicated support for this proposed amendment. There was discussion of the current provision in the ordinance which prohibits placement of septic systems within 150 feet of a wetland. Mr. Wolanski was asked to investigate the rational for the restriction and propose revisions if appropriate.

By consensus of the Board members, the matter was continued to the January 11, 2012 Planning Board meeting.

5. Update on Comprehensive Community Plan 5-year update process.

Mr. Adams stated that the Comp Plan Update committee will meet again on January 4th.

6. Update on activities of the Aquidneck Island Planning Commission.

Mr. Adams stated that he and Tina Dolan will present the results of the traffic planning study completed by AIPC to the Town Council on

December 19th.

7. Update on activities of the Aquidneck Island Reuse Planning Authority.

Mr. Adams stated that work to establish the implementing LRA is underway, including conversation with town solicitors and managers.

8. Review of Development Impact Fee Schedule and recommendation to the Town Council.

Mr. Wolanski described the need to complete an update of the impact fees study, which was used to establish the current fee schedule. The study is several years old and must be revisited to ensure that the fees collected by the town are appropriate. The impact fees ordinance identifies the Planning Board as the body to propose fee revisions to the Town Council. The Board should request authorization and funding from the Town Council to proceed with the necessary study. There was discussion of the role that the Planning Board would play. Mr. Wolanski stated that the Board could act as a steering committee to assist and guide the consultant.

Motion by Ms. Cirillo, seconded by Mr. Marnane, to request Town Council authorization and funding to complete the impact fees study. Vote: 6-0-0.

Motion by Ms. Rearick, seconded by Ms. Cirillo to adjourn. Vote: 6-0-0

The meeting adjourned at 7:35 pm

Respectfully submitted:

Ronald M. Wolanski

Town Planner